

LOS ANGELES POLICE COMMISSION

***REVIEW OF THE DEPARTMENT'S  
GED/CLEAR SELECTION CRITERIA  
AUDIT***



Conducted by the

**OFFICE OF THE INSPECTOR GENERAL**

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**OFFICE OF THE INSPECTOR GENERAL  
REVIEW OF THE DEPARTMENT'S  
GED/CLEAR SELECTION CRITERIA AUDIT  
FISCAL YEAR 2009/2010**

**PURPOSE**

The Office of the Inspector General (OIG), in accordance with the Transition Agreement with the Department of Justice, and pursuant to its Annual Audit and Review Plan, reviewed the Los Angeles Police Department's (Department) Gang Enforcement Detail (GED)/Community Law Enforcement Recovery Program (CLEAR) Selection Criteria Audit (Audit). The Audit was completed in the fourth quarter of Fiscal Year 2009/2010 and received by the OIG on July 20, 2010. This review assessed the completeness, quality, and findings and of the Department's Audit.

**BACKGROUND ON THE DEPARTMENT'S AUDIT**

The Audit, conducted by Internal Audits and Inspections Division (IAID), assessed the Department's compliance with the Department policies and procedures addressed in Manual Sections 3/763.75 to 763.78<sup>1</sup>. These sections address selecting officers and supervisors into GED and CLEAR units, extending their tour of duty, and reevaluating their suitability for retention or extension when they receive certain types of sustained complaints and/or adverse judicial findings during their tour of duty.

The GED/CLEAR tour database was queried for all officers/supervisors assigned to GED/CLEAR units in the 21 geographic Areas and Criminal Gang Homicide Division (CGHD) during the audit scope period of January 4, 2009, to April 6, 2010. Two different samples, one for new officer/supervisor selections and one for tour extensions, were used to evaluate 11 audit objectives.<sup>2</sup> As presented in the table on the next page, the Audit reported that the Department met a 95 percent compliance standard for 9 of the 11 objectives. Regarding the remaining 2 objectives, compliance rates were 93 percent for Objective 1(d-2) (*Determine if compliance with the selection process requirement for a current TEAMS II Report was met for each officer/supervisor*), and 92 percent for Objective 2(a) (*Determine if each GED/CLEAR tour extension beyond the initial limit of 39 Deployment Periods was properly approved and documented*).

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<sup>1</sup> 763.75, Gang Enforcement Detail – Qualification and Selection Requirements; 763.76, Selection Process for Gang Enforcement Details; 763.77, Review of Selected Candidates Work History and Evaluation of Findings; 763.78, Gang Enforcement Detail as a Limited Tour Assignment.

<sup>2</sup> There were 13 objectives identified in the 2009 Audit, but 2 objectives were not applicable to either the 2009 Audit, or this 2010 Audit. Both the "Current Suitability" and the "Eligibility Review" objectives (see table, page 2, Objectives 3 and 4) had no officers/supervisors who met the objective criterion for evaluation.

**SUMMARY OF COMPLIANCE RATES REPORTED BY IAID**

AUDIT AREA	OBJ.	OBJECTIVE DESCRIPTION	PRIOR AUDIT COMPLIANCE RATE	CURRENT AUDIT COMPLIANCE RATE
New Officer Selections	1(a)	Determine if eligibility criteria were met for the selection of each officer.	94% (58/62)	100% (48/48)
New Supervisor Selections	1(b)	Determine if eligibility criteria were met for the selection of each supervisor.	100% (19/19)	100% (9/9)
New Officer/Supervisor Selections	1(c)	Determine if there was documented consideration of certain types of sustained complaints and adverse judicial findings for each officer/supervisor.	95% (77/81)	98% (56/57)
New Officer/Supervisor Selections	1(d)	Teams Evaluation Report	99% (80/81)	100% (57/57)
		TEAMS II Report	91% (74/81)	93% (53/57)
		Oral Interview	96% (78/81)	98% (56/57)
		Performance Evaluation	94% (76/81)	100% (57/57)
		Department Personnel Package and Divisional Employee Folder	93% (75/81)	100% (57/57)
		Use of Force Review Division Contact	96% (78/81)	100% (57/57)
Tour Extensions	2(a)	Determine if each GED/CLEAR tour extension beyond the initial limit of 39 Deployment Periods was properly approved and documented.	100% (16/16)	92% (24/26)
Tour Extensions	2(b)	Determine if, at the time of each extension, there was a documented review of all sustained and pending complaints and adverse judicial findings incurred during the tour of duty.	Withheld	100% (26/26)
Current Suitability	3	Determine if there was documented consideration of certain types of high-risk sustained complaints and adverse judicial findings during each tour of duty.	NA	NA <sup>3</sup>
Eligibility Review	4	Determine if each transition from loaneer to permanent status received a new eligibility review.	NA	NA <sup>4</sup>

<sup>3</sup> No officer/supervisor during their tour received a sustained complaint of excessive force, false arrest, improper search and seizure, sexual harassment, discrimination, dishonesty, or adverse judicial findings; so this test for Objective 3 could not be conducted.

<sup>4</sup> IAID reported that none of the 57 new selection packages were for employees who transitioned from loaneer to permanent status; so this test for Objective 4 could not be conducted.

## **REVIEW OBJECTIVES**

The OIG reviewed the Audit for three objectives: completeness, quality, and findings, as described below:

### Completeness

- Determine if the Audit tested and reported compliance for all the stated objectives.
- Determine if the Audit identified complete populations from which to select the samples.

### Quality

- Determine if the Audit used appropriate sampling methodologies and testing questions.
- Determine if there was evidence of supervisory review of the Audit.
- Determine if the Audit completely and accurately reported its purpose, methodology, objectives, results, and detailed findings.

### Findings

- Determine if the Audit's reported findings correctly represented significant instances in which compliance was not achieved.
- Determine if there were any additional findings that were not reported by the Audit which represented significant instances in which compliance was not achieved.

## **REVIEW METHODOLOGY**

The OIG assessed the completeness, quality, and findings of IAID's Audit by reviewing the final Audit Report, Audit Work Plan, and Audit work papers.

Staff of IAID utilized two different samples of GED/CLEAR packages, one for new officer/supervisor selections, and one for tour extensions, to evaluate the Department's compliance with the Department Manual. The Table below depicts the number of GED/CLEAR packages evaluated by both IAID and the OIG.

The OIG conducted this review in accordance with generally accepted government auditing standards. These standards require that the review is adequately planned, performed, and supervised, and that sufficient, appropriate evidence is examined to provide a reasonable basis for the results and conclusion.

**SUMMARY OF NUMBER OF GED/CLEAR PACKAGES EVALUATED**

Objective	Number of GED Packages Evaluated <sup>5</sup>	
	by IAID	by OIG <sup>6</sup>
Objective 1(a-d) – New Officer Selections	57	21
Objective 2(a-b) – Tour Extensions	26	15
Objective 3 – Current Suitability	57	21

**OVERALL REVIEW RESULTS**

**Completeness**

The Audit tested and reported compliance for all its stated Audit objectives. Generally, the Audit identified complete populations, except for two Audit Objectives:

For Objective 1(a&c) (New Officer Selection), two new GED officers from Hollenbeck and Rampart were excluded [apparently inadvertently] from the population. As a result, these two new officer selection packages had no chance of being randomly selected and tested.

For Objective 4 (*Determine if each transition from loanee to permanent status received a new eligibility review*), there was actually one employee who transitioned from loanee status to permanent status during the audit scope period of January 4, 2009, to April 6, 2010, instead of none as IAID reported.

A sergeant who was transitioned from loanee to permanent status after only three days on loan did not receive a new eligibility review. Per Special Order No. 23, 2003, *Selection and Assignment to Gang Enforcement Details*, the eligibility requirements for an officer to be loaned to a GED unit are the same as those for an officer permanently selected to a GED unit, including a requirement for a TEAMS II Evaluation Report. Furthermore, the documentary requirements are the same except that:

- a permanent selection requires a documented oral interview, while a loan requires only that the meeting with the supervisor be documented; and
- a permanent selection requires completion of a Transfer Application Data Sheet (Form 15.88), while a loan requires an Intradepartmental Correspondence (Form 15.2) documenting the operational need for the loan.

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<sup>5</sup> Not all GED packages were applicable to each objective.

<sup>6</sup> The OIG’s sample sizes were calculated using a 95% confidence level, an expected error rate of 6%, and a plus-precision of 7%.

Although the OIG agrees that it would have been impractical and non-sensible to perform a new eligibility review in this case, technically it was required by Chief of Police Notice 3.3.1 dated May 8, 2008: "*Sworn employees transitioning from loanee status to permanent status in a GED shall be subjected to the entire selection process anew,*" which requires completion of a new Teams Evaluation Report.

Recommendation: The OIG recommends that the Department amend Chief of Police Notice 3.3.1 dated May 8, 2008 ("*Sworn employees transitioning from loanee status to permanent status in a GED shall be subjected to the entire selection process anew*") to allow an exemption for employees that have been on loan for two Deployment Periods or less.

Despite these two incomplete population issues, the Audit met the OIG's standard for completeness.

### **Quality**

The Audit used appropriate sampling methodologies and testing questions. There was evidence of supervisory review of the Audit. The Audit completely and accurately reported its purpose, methodology, objectives, results, and detailed findings. Hence, the Audit met the OIG's standard for quality.

### **Findings**

The Audit's reported findings correctly represented significant instances in which compliance was not achieved. There were no additional findings that were not reported by the Audit which represented significant instances in which compliance was not achieved. Hence, the Audit met the OIG's standard for findings.

### **OTHER MATTER**

#### **IAID Reported One Overall Compliance Rate for All Seven Tour Extension Tests**

The OIG noted that for Objective 1(d), *New Officer/Supervisor Selections*, IAID reported a separate compliance rate for each of the six tests. In contrast, for Objective 2(b), *Tour Extensions*, IAID reported one overall compliance rate, despite that seven tests were conducted. to determine if:

1. An eligibility review for the extension was conducted.
2. A TEAMS II Evaluation Report was properly completed.
3. The correct version of a timely TEAMS II Report was used.
4. The two most recent annual performance evaluations were used.
5. The Departmental personnel package and Divisional employee folder were reviewed.
6. Use of Force Review Division was contacted for information regarding uses of force.
7. All required forms contained all the required, timely approvals.

These seven tests for Tour Extensions correspond strongly to the six tests conducted for New Officer/Supervisor Selections, however, they currently are not reported in the same manner in the Audit.

Recommendation: The OIG recommends for future audits that IAID report a separate compliance rate for each of the seven Tour Extension tests conducted.

### **RECOMMENDATIONS**

1. The OIG recommends that the Department amend Chief of Police Notice 3.3.1 dated May 8, 2008 ("*Sworn employees transitioning from loanee status to permanent status in a GED shall be subjected to the entire selection process anew*") to allow an exemption for employees that have been on loan for two Deployment Periods or less.
2. The OIG recommends for future audits that IAID report a separate compliance rate for each of the seven *tour extension* tests conducted.

### **RESPONSE OF SPECIAL ASSISTANT FOR CONSTITUTIONAL POLICING**

The Special Assistant for Constitutional Policing concurred with Recommendation No. 1.

### **RESPONSE OF IAID MANAGEMENT**

Management of IAID expressed general agreement with the OIG's review, including Recommendation No. 2.

### **CONCLUSION**

The OIG concluded that the Audit met the OIG's standard for Completeness, Quality, and Findings. This conclusion was supported by the OIG's selection of sub-samples of the Audit's samples and re-performing the same tests as IAID for the new officer/supervisor selection and extension packages.